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Name

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Melanie I. Rauch

## REQUEST **FOR** TINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/967,218
Filing Date	28 September 2001
First Named Inventor	John David TUCKER
Group Art Unit	1711
Examiner Name	T. Tran
Attorney Docket Number	KCC-15,529

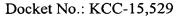
This is a Request for Continued Examination (RCE) under 37 C.F.  NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application to consider filing a continued prosectuion application (CPA) under 37 C.F.R. § 1.5 the patent term adjustment provisions of the AIPA. See Changes to Application Examinated. Reg. 50092 (Aug. 16, 2000); Interim Rule 65 Fed. Reg. 14865 (Mar. 20, 2000), 12 established RCE practice.	ication was filed prior to May 29, 2000, applicant may 3 (d) (PTO/SB/29) instead of a RCE to be eligible for nation and Provisional Application Practice, Final Rule, 65		
1. Submission required under 37 C.F.R. § 1.114			
a. Previously submitted			
i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 (Any unentered amendment(s) referred to above will be entered).	previously filed on		
ii. Consider the arguments in the Appeal Brief or Reply Brief	previously filed on		
b. X Enclosed	<del></del>		
i. X Amendment/Reply			
ii. Affidavit(s)/Declarations			
iii. Information Disclosure Statement (IDS)			
iv. X Other Petition for Extension of Time for Filing of Response Under Rule 1.136(a) (2 pages), in duplicate			
2. Miscellaneous			
a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)  b. Other			
3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.			
<ul> <li>a. X The Director is hereby authorized to charge the following fees Deposit Account No. <u>19-3550</u></li> </ul>			
i. RCE fee required under 37 C.F.R. § 1.17 (e)	11/18/2003 JADDO1 00000089 09967218		
ii. Extension of time fee (37 C.F.R. § 1.136 and 1.17) 01 FC:1801			
iii. X Other any deficiency in the enclosed fee			
b. X Check in the amount of \$ 770.00 & 110.00 enclosed			
c. Payment by credit card (Form PTO-2038 enclosed)			
OVERATURE OF ARRUMANT ATTORNEY OR ACENT REQUIRED			
SIGNATURE OF APPLICANT, ATTORNE	Registration No. (Attorney/Agent) 40,924		
Name (Print/Type) Melanie I. Rauch			
Signature Shew Fauch	Date 14 November 2003		
CERTIFICATE OF MAILING OR	CERTIFICATE OF MAILING OR TRANSMISSION		
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:			

Date

14 November 2003

Mail Stop RCE, Comm. for Patents, PO Box 1450, Alexandria VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

11/14/03



## UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

John David TUCKER, et al.

Serial No.:

09/967,218

Filing Date:

28 September 2001

Title:

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Confirmation No. 7138

Customer No. 35844

Group No. 1711

Examiner: T. Tran

## AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

In response to the final Office Action mailed 14 July 2003 and the Advisory Action mailed 22 October 2003, please amend the above-identified patent application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.

Appendix including a product information sheet from Bayer is attached after page 10 of this paper.

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

MR/S

KCC-1125